

EXHIBIT E

Cary Joshi

From: Cary Joshi
Sent: Thursday, October 31, 2024 10:50 AM
To: 'Thomas Miller'; Manuel J. Rios, Jr.
Cc: Katherine E. Charonko
Subject: RE: Zeidman v Lindell: discovery requests

Tom,
It has been a month and your client's tech people never contacted my people who I provided in the email below. Nor did you provide me with any contact information so that we could reach out. We are still unable to access the QB data.

I also have not heard from you about the additional loan information, which I first requested on September 16, 2024. I plan to go to the court on this if I have not received this information by next Friday, November 8.

Cary

From: Cary Joshi
Sent: Monday, September 30, 2024 4:01 PM
To: Thomas Miller <Thomas@millerlaw.com>; Manuel J. Rios, Jr. <mrios@baileyglasser.com>
Cc: Katherine E. Charonko <kcharonko@baileyglasser.com>
Subject: RE: Zeidman v Lindell: discovery requests

We are happy to talk to you client's tech people. Please put them in touch with Kate Charonko and Manny Rios on this email.

Thanks,
Cary

From: Thomas Miller <Thomas@millerlaw.com>
Sent: Monday, September 30, 2024 11:32 AM
To: Cary Joshi <CJoshi@baileyglasser.com>; Manuel J. Rios, Jr. <mrios@baileyglasser.com>
Cc: Katherine E. Charonko <kcharonko@baileyglasser.com>
Subject: RE: Zeidman v Lindell: discovery requests

CAUTION: External Email

Goodness, Cary, I was hoping that QB had finally worked for you.

Does your firm have an IT person that could communicate with my client's tech people? I have been going through in-house counsel, who have done their best but have no depth of knowledge.

Thanks.

THOMAS F. MILLER, P.A.

/s/ Thomas F. Miller, MN Bar 73477

1000 Superior Blvd., Ste. 303
 Wayzata, MN 55391
thomas@millerlaw.com
www.millerlaw.com
 Cell/Text: (612) 991-5992
 Fax: (952) 404-3893

From: Cary Joshi <CJoshi@baileyglasser.com>
Sent: Monday, September 30, 2024 10:11 AM
To: Manuel J. Rios, Jr. <mrios@baileyglasser.com>; Thomas Miller <Thomas@millerlaw.com>
Cc: Katherine E. Charonko <kcharonko@baileyglasser.com>
Subject: RE: Zeidman v Lindell: discovery requests

Tom-

Can you please respond to us related to our inability to review the Quickbooks documents you sent as set forth below? When we try to review the documents in Quickbooks, using our account, it is still requiring a password from your client because it is their data. We need for you to provide a way for us to review this data, as it is currently unreviewable.

Also, we sent to you a letter on September 16, 2024 about additional documents that are responsive to our discovery requests that you have not produced related to loans made to Lindell Management. Please provide those documents as well. If you would like to meet and confer on these issues, I am available.

Thanks,

Cary

Cary Joshi
Bailey & Glasser, LLP

T: 202.463.2101

From: Manuel J. Rios, Jr. <mrios@baileyglasser.com>
Sent: Tuesday, September 17, 2024 9:17 AM
To: Thomas Miller <Thomas@millerlaw.com>; Cary Joshi <CJoshi@baileyglasser.com>
Cc: Katherine E. Charonko <kcharonko@baileyglasser.com>
Subject: RE: Zeidman v Lindell: discovery requests

Mr. Miller:

We tried just now to access the QuickBooks documents using the link in your email right below. When we clicked on the link, the prompt shown in screenshot #1 came up. Once though we tried to access the actual documents after downloading them, we were again prompted to input your client's Username and Password – which obviously we don't know. It appears that we're either going to have to be provided with the documents in a way that is not password protected OR you're going to have to provide us with your client's Username and Password. Any help you can give us to get us unobstructed access to the QuickBooks documents would be greatly appreciated.

SCREENSHOT #1

A Keeper record has been shared with you.

You can view this record on this device only.

Expiration: 09/20/2024, 03:03 PM EDT



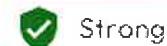
Lindell Management LLC - For Doug

Login

ViewOnly

Password

.....



Strong

Files or Photos

Lindell Management LLC - Review Copy.qbw

42.60 MB



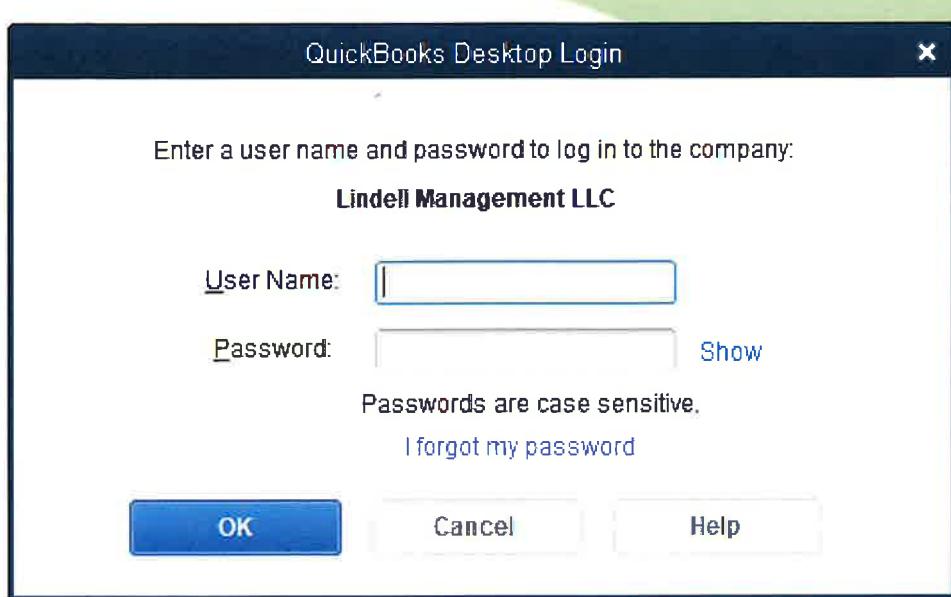
Notes

Requested by Doug Wardlow on 8/22/2024 for a Legal case

One-Time Sharing powered by:



SCREENSHOT #2



Thanks,

Manny

Manuel J. Rios, Jr.

Senior Paralegal

Tel: 202.463.2101

Cell: 301.661.9941

Fax: 202.463.2103

Email: mrios@baileyglasser.com

Office: 1055 Thomas Jefferson Street NW

Suite 540

Washington, DC 20007

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From: Thomas Miller <Thomas@millerlaw.com>

Sent: Friday, September 13, 2024 3:25 PM

To: Manuel J. Rios, Jr. <mrios@baileyglasser.com>; Cary Joshi <CJoshi@baileyglasser.com>

Cc: Katherine E. Charonko <kcharonko@baileyglasser.com>

Subject: RE: Zeidman v Lindell: discovery requests

CAUTION: External Email

This is my client's response:

I checked the digital records, and they opened the link on Thursday, September 12, 10:38 a.m. They exhausted the number of times they could access the link.

As a courtesy, here is another link, but as the Keeper instructions detail, it may only be accessed through a single device, so whoever is working through the file at their firm should be the one to open the link provided. The link invitation expires in one week per its security protocol.

https://keepersecurity.com/vault/share/#k257SpW4tmVav6Pjor_BBBe-2FYbEtu75XbES69dlq8

THOMAS F. MILLER, P.A.

/s/ *Thomas F. Miller, MN Bar 73477*

1000 Superior Blvd., Ste. 303

Wayzata, MN 55391

thomas@millerlaw.com

www.millerlaw.com

Cell/Text: (612) 991-5992

Fax: (952) 404-3893

From: Manuel J. Rios, Jr. <mrios@baileyglasser.com>

Sent: Friday, September 13, 2024 1:38 PM

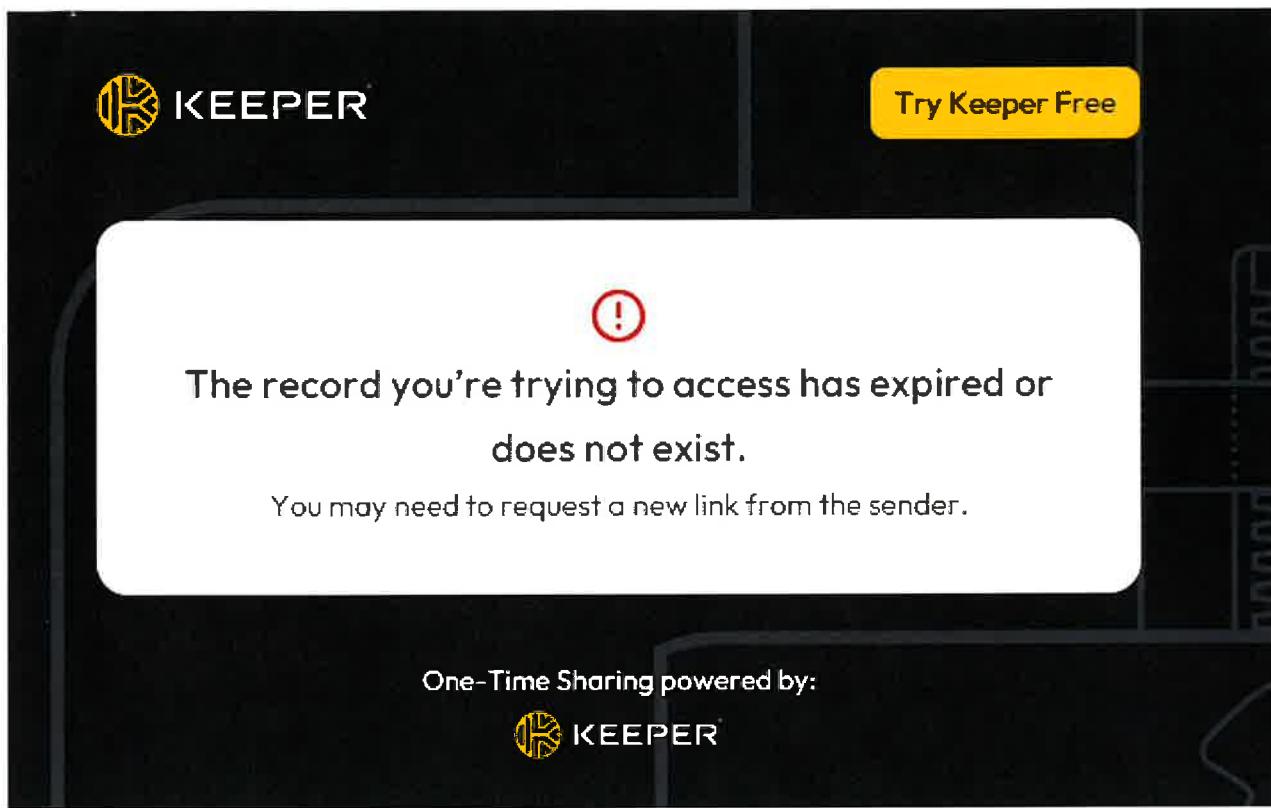
To: Thomas Miller <Thomas@millerlaw.com>; Cary Joshi <CJoshi@baileyglasser.com>

Cc: Katherine E. Charonko <kcharonko@baileyglasser.com>

Subject: RE: Zeidman v Lindell: discovery requests

Mr. Miller:

I tried logging in but it seems as if the link has expired (see below screenshot).



Thanks,

Manny

Manuel J. Rios, Jr.

Senior Paralegal

Tel: 202.463.2101

Cell: 301.661.9941

Fax: 202.463.2103

Email: mrios@baileyglasser.com

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From: Thomas Miller <Thomas@millerlaw.com>

Sent: Wednesday, September 11, 2024 3:38 PM

To: Manuel J. Rios, Jr. <mrios@baileyglasser.com>; Cary Joshi <Cjoshi@baileyglasser.com>

Cc: Katherine E. Charonko <kcharonko@baileylaw.com>
Subject: RE: Zeidman v Lindell: discovery requests

CAUTION: External Email

This link is what my client sent to me. Please let me know if problems remain.

<https://keepersecurity.com/vault/share/#EX5u6tqED2beP82qNLh4gFtSzQGDAuy9iYWYA6GQMM4>

THOMAS F. MILLER, P.A.

/s/ *Thomas F. Miller, MN Bar 73477*

1000 Superior Blvd., Ste. 303
Wayzata, MN 55391
thomas@millerlaw.com
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Cell/Text: (612) 991-5992
Fax: (952) 404-3893

From: Manuel J. Rios, Jr. <mrios@baileylaw.com>
Sent: Monday, September 9, 2024 9:39 AM
To: Thomas Miller <Thomas@millerlaw.com>; Cary Joshi <CJoshi@baileylaw.com>
Cc: Katherine E. Charonko <kcharonko@baileylaw.com>
Subject: RE: Zeidman v Lindell: discovery requests

Mr. Miller:

We're currently trying to access the QuickBooks material that you sent over late last month. Unfortunately, we're being accessed to put in a User Name and Password (see below screenshot). Would you please be able to provide such information to us so that we are able to access the Quick Books material? Any help is much appreciated.



Thanks,

Manny Rios

Manuel J. Rios, Jr.

Senior Paralegal

Tel: 202.463.2101

Cell: 301.661.9941

Fax: 202.463.2103

Email: mrios@baileyglasser.com

Office: 1055 Thomas Jefferson Street NW

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From: Thomas Miller <Thomas@millerlaw.com>

Sent: Monday, August 26, 2024 12:53 PM

To: Cary Joshi <CJoshi@baileyglasser.com>

Cc: Manuel J. Rios, Jr. <mrios@baileyglasser.com>; Katherine E. Charonko <kcharonko@baileyglasser.com>

Subject: RE: Zeidman v Lindell: discovery requests

CAUTION: External Email

Cary my client and I have researched this and I don't think it's possible for me to buy a license for you. I can of course subsidize your purchase of it and it seems to be quite easy to do online. Let me know if you want my debit card numbers I'm happy to let you have them. there are so many links online that it's hard to know where to start but QuickBooks lays it all out pretty easily and it seems to verify that the online service works with our database although I have seen some comments to the effect that the locally installed software can produce more reports than can the online service.

So I have to kick this back to your desk. I don't think it's possible for me to assign a license to you so it's got to start from your end but again we undertake to finance any of your expenditures. Thanks

/e/ Thomas F. Miller
Thomas@millerlaw.com
 Cell/text: 612-991-5992

----- Original message -----

From: Cary Joshi <CJoshi@baileyglasser.com>
 Date: 8/26/24 11:13 AM (GMT-06:00)
 To: Thomas Miller <Thomas@millerlaw.com>
 Cc: "Manuel J. Rios, Jr." <mrios@baileyglasser.com>, "Katherine E. Charonko" <kcharonko@baileyglasser.com>
 Subject: RE: Zeidman v Lindell: discovery requests

Tom,
 I am happy to try and see if having access to QuickBooks works. I have been told that if the version we use is not exactly the version that you have then the data may not be able to go back into the database properly. Please send me the information for the license once you have purchased it so that we can install it and see if it works.

The new link to Goldfynch worked. However, none of the documents produced contained the metadata we requested in our requests for production. I am going to see if we can use it anyway, but we may come back to ask for additional background data on the documents you produced. We also have not had a chance to actually review the documents yet so there may be additional follow up after we have had that opportunity.

Thanks,
 Cary

Cary Joshi
Bailey & Glasser, LLP

T: 202.463.2101

From: Thomas Miller <Thomas@millerlaw.com>
Sent: Monday, August 26, 2024 10:58 AM
To: Cary Joshi <CJoshi@baileyglasser.com>
Cc: Manuel J. Rios, Jr. <mrrios@baileyglasser.com>
Subject: RE: Zeidman v Lindell: discovery requests

CAUTION: External Email

Thanks! We are having The Goldfinch link sent directly from the Goldfinch company. We have been able to open it on our side but I may have corrupted the formatting inadvertently when I sent it to you. With respect to QuickBooks we are running Excel runs for you but I tell you if you have QuickBooks itself you can do many many more reports basically both horizontal and vertical that I don't believe you can do in Excel at least not without sophisticated programming. We are looking into options. First of all I'm authorized to say that if you want to purchase the QuickBooks program we will pay for it. The best option by far may be to use the database with online QuickBooks that would not only be cheaper but wouldn't involve installation hassles. Do you have a thought as to how you want to approach the QuickBooks problem?

/e/ Thomas F. Miller
Thomas@millerlaw.com
Cell/text: 612-991-5992

----- Original message -----

From: Cary Joshi <CJoshi@baileyglasser.com>
Date: 8/26/24 9:55 AM (GMT-06:00)
To: Thomas Miller <Thomas@millerlaw.com>
Cc: "Manuel J. Rios, Jr." <mrrios@baileyglasser.com>
Subject: RE: Zeidman v Lindell: discovery requests

Of course, whatever we need in order make progress.

Cary Joshi
Bailey & Glasser, LLP

T: 202.463.2101

From: Thomas Miller <Thomas@millerlaw.com>
Sent: Monday, August 26, 2024 10:06 AM
To: Cary Joshi <CJoshi@baileyglasser.com>
Cc: Manuel J. Rios, Jr. <mrrios@baileyglasser.com>
Subject: RE: Zeidman v Lindell: discovery requests

CAUTION: External Email

Is it OK for me to have general counsel and/or technical staff on the call?

THOMAS F. MILLER, P.A.

/s/ *Thomas F. Miller, MN Bar 73477*

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Wayzata, MN 55391
thomas@millerlaw.com
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From: Cary Joshi <CJoshi@baileyglasser.com>
Sent: Monday, August 26, 2024 8:45 AM
To: Thomas Miller <Thomas@millerlaw.com>
Cc: Manuel J. Rios, Jr. <mrios@baileyglasser.com>
Subject: FW: Zeidman v Lindell: discovery requests

Tom,

Please call me (202-304-4484) at your earliest convenience so we can attempt to resolve these technical issues before I have to send an update to the court this afternoon.

Thanks,

Cary

Cary Joshi

Bailey & Glasser, LLP

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Suite 540
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T: 202.463.2101
F: 202.463.2103

CJoshi@baileyglasser.com
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From: Cary Joshi
Sent: Sunday, August 25, 2024 2:02 PM
To: Thomas Miller <Thomas@millerlaw.com>
Cc: Manuel J. Rios, Jr. <mrios@baileyglasser.com>; Katherine E. Charonko <kcharonko@baileyglasser.com>
Subject: RE: Zeidman v Lindell: discovery requests

Tom,

The court has ordered us to file a letter tomorrow, Monday, Aug 26, reporting on the status of Lindell's responses to RFPs and production of documents. The link to the documents did not work. This is the message I get when I click the button:



Production invite not found.

We're sorry, we couldn't locate the production invitation you're looking for. It may be that the invite has expired (due to downloads or time limit) or has been revoked. You may want to check with the inviter to get a new invite link.

136 S Dubuque St, Iowa City, IA 52240
[+1 \(866\) 319-7983](#) / [Contact](#) / [Email](#)



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Unless I have a working link by 3:00ET on Monday, Aug. 26, I will have to report to the court that the required documents have not been produced.

Next, while the link to the Quickbooks documents seems to work, I have been unable to view these documents because I do not have Quickbooks. Sending a production with a proprietary software that requires licenses access is not "a reasonably useable format" as required under the rules. Please reproduce these files in Excel.

Unless I have these documents in Excel format by 3:00ET on Monday, Aug. 26, I will have to report to the court that the required documents have not been properly produced.

Cary

From: Thomas Miller <Thomas@millerlaw.com>
Sent: Friday, August 23, 2024 5:25 PM
To: Cary Joshi <CJoshi@baileyglasser.com>
Cc: Manuel J. Rios, Jr. <mrrios@baileyglasser.com>
Subject: RE: Zeidman v Lindell: discovery requests

CAUTION: External Email

Cary, I am please to attach and serve you herewith:

- Amended answer to Interrogatory 7, to be signed by Mr. Lindell next week
- Responses to your request for production of documents
- This link to download all of the referenced documents: https://goldfynch.com/s/production-invite/T10LYjttIqt1W-vVF0N2h6q_1S6bFuwF?u=KfYOKT5RsL_bIeHrI1YPBxXHp8eKGcg_TvAFHTY5izTvrCV_Rc7bbFsBr8DjCiNFk8QZOXBxFUeJgqnCsNegSFZNnxS2t7tZfTzs_pg7wzjC4JY

aarCu1v77u_Xuc4K4LHI5L9fy4RE7MEVkiY72gYt1nWzBWJ2_f8sg&v=_ZM-enfruKAeGb-uwDSdNw&x=dHryMOW1k-_vZCBM

- This link to retrieve the QuickBooks database:
- <https://keepersecurity.com/vault/share/#SM1DJQLg3X9tCqmLo7LRyHzjAqL2fycuyyCS7bwCLiI>

Thank you for your many courtesies. Good weekend!

THOMAS F. MILLER, P.A.

/s/ *Thomas F. Miller, MN Bar 73477*

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